

REMARKS

Applicants have amended their claims in order to further clarify the definition of various aspects of the present invention. Specifically, the preamble of each of claims 1 and 2 has been amended to recite a friction stir welding method of a first member and a second member. Claim 1 has been further amended to recite that the third member is arranged at an outer side of a first member and an outer face of a second member, thereby forming an abutted portion of the third member and the first member and of the third member and the second member, with a friction stir welding being carried out to this abutted portion. Claim 2 has been further amended to recite that the third member overlaps to an end portion of a first member and an end portion of a second member, thereby forming an abutted portion of the third member and the first member and of the third member and the second member, with the friction stir welding being carried out at this abutted portion.

In addition, Applicants are adding new claims 3-12 to the application. Claim 3, dependent on claim 1, recites that the first and second members are spaced from each other, forming a gap therebetween, with the third member bridging this gap. Claims 4 and 5, dependent respectively on claims 2 and 4, respectively recites that at least one of the first and second members has a recessed portion at an end thereof closest to the other of the first and second members, with the third member, in overlapping the end portions of the first and second members, being positioned in the recessed portion; and recites that both of the first and second members have such recessed portion, with the third member, in overlapping the end portions of the first and second members, being positioned in the recessed portions. Claims 6 and 7, dependent respectively on claims 5 and 4, recite that the abutted portion, at which the friction stir welding is carried out, includes a region of the first

and second members adjacent to the recessed portion(s). Claims 8-10 expressly set forth subject matter expressly recited in claims 3, 5 and 6, but are dependent respectively on claims 2, 8 and 9; and claims 11 and 12, dependent respectively on claims 8 and 2, recite that upper surfaces of the first and second members, and of the third member, are in substantially a same plane, during the friction stir welding.

In connection with amendments to the previously considered claims, as well as in connection the presently newly added claims, note, for example, Figs. 9(A)-(D), and the corresponding description on pages 10-12 of Applicants' specification, as well as the following discussion in connection with the rejection under the first paragraph of 35 USC 112.

Applicants respectfully traverse the rejection of claims under the first paragraph of 35 USC 112, as failing to comply with the written description requirement, set forth on pages 2 and 3 of the Office Action mailed March 23, 2005, especially insofar as this rejection is applicable to the claims as presently amended.

Thus, the Examiner has rejected the previously considered claims on the basis that the "third member" as in the previously considered claims was not sufficiently described in the specification. In the following, discussion is provided in connection with Figs. 9(A)-(D) and the corresponding description in the specification on pages 10-12, showing descriptive support in the present application for the present claims. This discussion with respect to description in the originally filed application papers is illustrative in connection with the present invention, and is not limiting.

Thus, attention is directed to the structure represented by reference character 60 in Fig. 9(B), referred to in the specification as a "joint". It is respectfully submitted that this structure represented by reference character 60, arranged as shown in

Fig. 9(B) and friction stir welded to, e.g., the plates 33, 33 provides a disclosure of the "third member" as recited in the present claims. That is, it is respectfully submitted that, as seen in Fig. 9(B), the structure represented by reference character 60 is arranged at an outer side of a first member and an outer face of a second member, and overlaps to an end portion of a first member and an end portion of a second member. Furthermore, as seen in Fig. 9(B) and 9(C), and as described on page 11 of Applicants' specification, e.g., at lines 16-21 thereof, friction stir welding is performed at the abutted portion recited in claims 1 and 2.

As can be seen from the foregoing, it is respectfully submitted that there is clearly sufficient description in the original application papers of the above-identified application, for the "third member" recited in the present claims, for satisfying requirements of 35 USC 112, first paragraph.

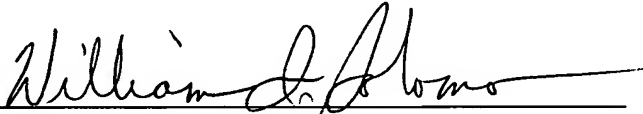
The reference by the Examiner to the "third member" in the abstract, which is a third member 35 connecting the two plates 33, 34, is noted. It is respectfully submitted, however, that the exact same words used in the specification need not be used in the claims; there only need to be adequate basis in the specification for recitations in the claims. As can be seen in the foregoing discussion, it is respectfully submitted that there is adequate basis for the "third member" as recited in the present claims.

In view of the foregoing comments and amendments to the claims, reconsideration and allowance of all of the claims presently in the application are respectfully requested.

Applicants request any shortage of fees due in connection with the filing of this paper be charged to the Deposit Account of Antonelli, Terry, Stout & Kraus, LLP, Deposit Account No. 01-2135 (case 35255V10), and credit any overpayment of fees to such Deposit Account.

Respectfully submitted,

ANTONELLI, TERRY, STOUT & KRAUS, LLP

By 
William I. Solomon
Registration No. 28,565

WIS/ksh
1300 N. Seventeenth Street
Suite 1800
Arlington, Virginia 22209
Tel: 703-312-6600
Fax: 703-312-6666